

**AMENDMENT TO S. 352****OFFERED BY MR. WALDEN**

At the end of the bill, add the following new section:

**1 SEC. 6. BROADCASTER RIGHT TO TRANSITION.**

2 Notwithstanding any other provision of this Act (in-  
3 cluding the amendments made by this Act) and any Fed-  
4 eral Communications Commission rule, regulation, or  
5 order, or revision of such rule, regulation, or order pursu-  
6 ant to this Act, no commercial or public educational tele-  
7 vision broadcast station shall be required to continue  
8 broadcasting in the analog television service after Feb-  
9 ruary 17, 2009, if—

10 (1) such station has included at least 1 notice  
11 of their intent to cease broadcasting in the analog  
12 television service in its transmissions to viewers in  
13 the analog television service during prime time on  
14 each of the 30 days prior to the date such station  
15 ceases broadcasting in the analog television service;

16 (2) such station's broadcasts in the digital tele-  
17 vision service will not cause harmful interference to  
18 other full-power television stations in the analog or  
19 digital television service; and

1           (3) such station's broadcasts in the digital tele-  
2 vision service will not cause harmful interference to  
3 public safety communications on television channels  
4 63, 64, 68, or 69 (764-806 megahertz, inclusive).

